

COAL MINING AND RECLAMATION PERMIT APPLICATION TO REVISE A PERMIT (ARP)

Issued To: AMERICAN ENERGY CORP
43521 Mayhugh Hill Rd.
Beallsville, OH 43716

Permit Number: D-425
Application Number: R-425-8

Telephone: (740) 926-9152

Effective: 01/03/2003
Expires: 10/21/2004

ARP Type:
Revise Refuse Disposal Plan

The issuance of this ARP means only that the application to conduct a coal mining operation meets the requirements of Chapter 1513 of the Revised Code, and as such DOES NOT RELIEVE the operator of any obligation to meet other federal, state or local requirements.

This ARP is issued in accordance with and subject to the provisions, conditions, and limitations of Chapter 1513 of the Revised Code and Chapters 1501:13-1, 1501:13-3 through 1501:13-14 of the Administrative Code.

The approved water monitoring plan for this ARP is:

Quality: N/A
Quantity: N/A

Note: Any previous condition(s) imposed on this permit, or subsequent adjacent areas, also apply to this ARP unless noted otherwise.

Signature:

Michael S. Sponer by R. L. Allen
Chief, Mineral Resources Management

Date: 01/03/2003

ORIGINAL

**OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINES AND RECLAMATION****APPLICATION TO REVISE A COAL MINING PERMIT**

Note: Refer to the Division's "General Guideline for Processing ARPs" and "Requirements for Specific Types of Common ARPs" for guidance on submitting and processing ARPs.

1. Applicant's Name American Energy Corporation

Address 43521 Mayhugh Hill Road

City Beallsville State Ohio Zip 43950

Telephone Number 740 -926 -9152

2. Permit Number D-0425

3. Section of mining and reclamation plan to be revised:

PART 3, PAGE 23, ITEM A(14)(a)

4. Describe in detail the proposed revision and submit any necessary drawings, plans, maps, etc.:

THIS REVISION INCLUDES CHANGES TO REFUSE DISPOSAL PLAN

5. Describe in detail the reason for requesting the revision:

THIS REVISION IS BEING SUBMITTED TO SHOW DETAILS OF THE CENTURY MINE REFUSE DISPOSAL

6. Will this revision constitute a significant alternation from the mining and reclamation operation contemplated in the original permit? Yes, ☒ No.

(Note: refer to paragraph (E) (2) of 1501:13-04-06 of the Ohio Administrative Code to determine if a revision is deemed significant.)

If "yes," complete the following items 7 through 9.

ORIGINAL

7. In the space below give the name and address of the newspaper in which the public notice is to be published.

N/A

8. In the space below give the text of the public notice that is to be published. (Include the information required by paragraph (A)(1) of 1501:13-05-01 of the Ohio Administrative Code.)

N/A

9. In the space below give the name and address of the public office where this application is to be filed for public viewing.

N/A

I, the undersigned, a responsible official of the applicant, do hereby verify the information contained in this revision request is true and correct to the best of my information and belief.

Robert D. Moore

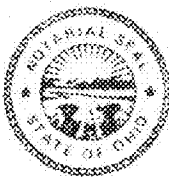
Print Name

Date

Signature

President
Title

Sworn before me and subscribed in my presence this 22nd day of July, 2002



BARBARA L. RUSH
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 9-31-04

Barbara L. Rush
Notary Public

This request is hereby

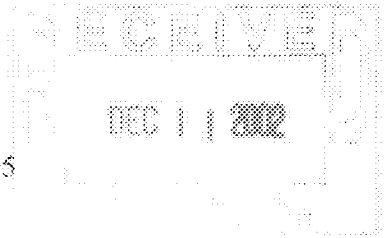
FOR DIVISION USE ONLY
APPROVED

Michael D. Fowler by R. X. [Signature]
Chief, Division of Mines and Reclamation

Date

1-3-03

ADDENDUM TO A.R.P., ITEM 4.
AMERICAN ENERGY CORPORATION, PERMIT D-0425



Page 23, Item A(14)(a):

Yes. Coal mine waste will be transported to Permit D-0360 which has an approved refuse disposal site, or to the D-1159 temporary coal refuse disposal site. See Attachment 12 analysis of the coal refuse from the D-0360 refuse disposal site (attached) which is representative of the refuse which will be generated at the Century mine. The D-0360 refuse is generated from the same coal seam (Pittsburgh #8) proposed to be mined at the Century mine, and the D-0360 waste disposal site is located approximately 2 miles northeast of the Century mine site. The D-0360 refuse disposal site has a design capacity of 19,602,000 tons and a life of approximately 8 years, depending on actual densities ranging from 100 to 120 pounds per cubic foot.

Page 23, Item A(14)(b):

ARP for Permit D-0360 has been submitted, and ARP to D-1159 was issued as R-1159-4 on 4/24/02.

ORIGINAL



July 17, 2002

Ms. Melanie Homan
Environmental Engineer
American Energy Corporation
43521 Mayhugh Hill Road
Township Highway 88
Beallsville OH 43716

Dear Ms. Homan:

This letter is to inform you of the refuse capacity of the Ohio Valley Coal Company as of July 1, 2002. Our engineers have determined that at our current production of approximately 5 million clean tons of coal per year, we have sufficient coarse refuse capacity permitted for approximately 8 years. At that same rate of production, we have sufficient fine coal capacity permitted for approximately 8 years. If you have any questions, please contact me.

Sincerely,
THE OHIO VALLEY COAL COMPANY

John R. Forrelli
President and General Manager

cc: File

56854 PLEASANT RIDGE ROAD • ALLEDONIA OHIO 43902
(740) 926-1351 • FAX (740) 926-1615

ORIGINAL

AEC 19867

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATIONATTACHMENT 12
(DRILLING REPORT - SURFACE MINE)Applicant's Name BENNOX, INC.

Typical Coarse Coal Refuse

(Check one: ☒ core drilled ☐ rotary air ☐ other (describe) _____)

Test Hole # _____

State Plane Coordinates X _____

Y _____

Lithologic Unit (1)	* Thickness Feet	pH	CaCo3 Deficiency (1000 Tons)	Neutralization Potential (1000 Tons)	Potential Acidity	Total Sulfur %	Physical Properties (2)			
Topsoil										
Subsoil							Compactible	Erodible	Color	Grain Size
Roof Rock	266.20-276.20	9.38	-314	355	40.6	1.30				
Floor Rock	358.70-368.70	9.23	-167	269	102	3.25				
Roof Rock	338.10-349.10	9.26	-179	241	61.9	1.96				
Floor Rock	284.30-294.30	9.37	21.0	44.9	55.9	2.11				
Roof Rock	236.30-246.30	9.34	-160	204	44.1	1.41				
Floor Rock	353.00-363.00	9.39	-75.6	167	91.2	2.92				
Roof Rock	332.40-342.40	9.34	-173	210	36.6	1.17				
Floor Rock	308.70-318.70	9.38	-282	319	37.1	1.19				
Floor Rock	251.30-261.30	8.96	-44.8	107	62.2	1.99				
Floor Rock	328.60-338.60	9.03	-54.0	178	124	3.96				
Floor Rock	328.10-338.10	9.18	-140	199	59.0	1.89				
Roof Rock	311.40-321.40	9.37	-266	296	40.0	1.28				
Floor Rock Gregg	299-309	9.27	-119	214	95.0	3.04				
Roof Rock Gregg	281.10-291.10	9.48	-247	286	38.7	1.24				

Total Thickness _____

Surface elevation of test hole _____

Coal Seam Information

NAME	NUMBER	TOTAL SULFUR %	PYRITE/MARCASITE SULFUR %

- (1) If subsurface water was encountered, identify the stratum in which it was encountered by an asterisk (*).
 (2) Describe any observable physical properties of such stratum (e.g. color, grain size, compactibility, erodibility, etc.)

* The thickness column refers to depth ranges. Roof rock consists of the immediate ten feet above the roof coal. Floor rock is the immediate ten feet below the Pittsburgh No. 8 coalbed. The "Gregg" appearing after the last two entries has no significance. Note: There is no acid base accounting for the #8 coal recorded on this Attachment 12.

ODNR-Division of Mineral Resources Management

ARP REVIEW TRACKING SHEET

APPLICANT	American Energy	ARP #	R-425-8
ARP SUMMARY	Renew Refuse Disposal Plan		
DISTRICT	Cambridge	APP. MANAGER	Knasel
DATE RECEIVED BY APPLICATION MANAGER		7-23-02	

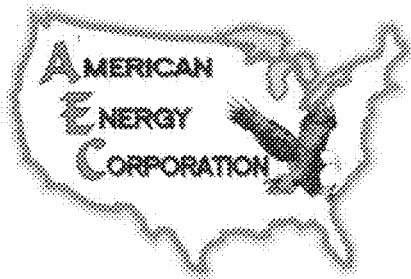
	YES	NO
1. Is the ARP a SIGNIFICANT REVISION? If yes, complete and attach significant ARP Cover Sheet.		✓
2. Were there public comments and/or an informal conference requested? If yes, a written response must be sent to those providing comments at the time the ARP is either approved or disapproved.	✓	

INITIAL REVIEW

Check applicable reviewers and indicate date(s) the ARP was distributed and comments returned		Date Sent for Review	Date Response	ACCEPTABLE	
				YES	NO
<input type="checkbox"/>	Jack Johannes (Soils)				
<input type="checkbox"/>	Mike Mann (Blasting)				
<input type="checkbox"/>	Scott Stiteler (Ownership)				
<input type="checkbox"/>	Engineer:				
✓	Hydrologist: Mike Dillman	7-31-02	9-13-02		✓
✓	Field ES: Kevin Ricks	7-31-02	9-4-02		✓
✓	Inspector: John Peterburg	7-31-02	9-5-02	✓	
<input type="checkbox"/>	Other:				
Date Revisions Sent to Applicant		9-25-02	Revisions Rec'd from Applicant		12-11-02

SECOND REVIEW

Check applicable reviewers and indicate date(s) the ARP was distributed and comments returned		Date Sent for Review	Date Response	ACCEPTABLE	
				YES	NO
<input type="checkbox"/>	Jack Johannes (Soils)				
<input type="checkbox"/>	Mike Mann (Blasting)				
<input type="checkbox"/>	Scott Stiteler (Ownership)				
<input type="checkbox"/>	Engineer:				
✓	Hydrologist: Mike Dillman	12-20-02	12-30-02	✓	
✓	Field ES: Kevin Ricks	12-20-02	12-27-02	✓	
<input type="checkbox"/>	Inspector:				
<input type="checkbox"/>	Other:				
Date Revisions Sent to Applicant			Revisions Rec'd from Applicant		

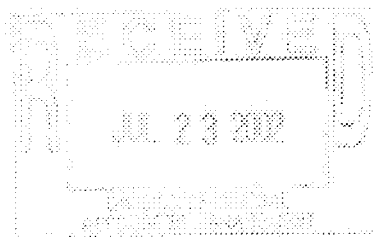


43521 Mayhugh Hill Road • Twp. Hwy. 88 • Beallsville, OH 43718

PHONE: (740) 926-9152
FAX: (740) 926-9138

July 22, 2002

Scott Stiteler
Division of Mines & Reclamation
1855 Fountain Square Court
Building H-3
Columbus, Ohio 43224-1383

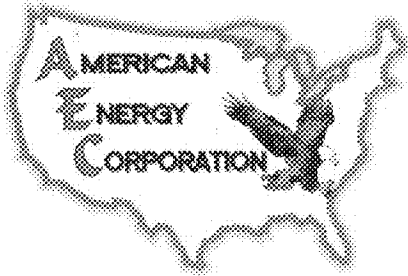


Dear Scott:

Enclosed is an ARP to Permit D-0425. Please review and contact me with any questions or comments.

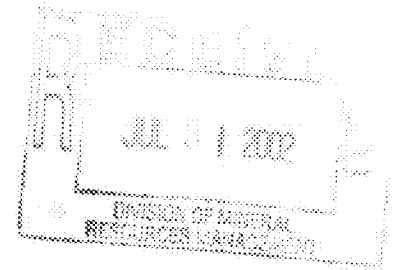
Sincerely,

Melanie Homan
Civil and Environmental Engineer



43521 Mayhugh Hill Road • Twp. Hwy. 88 • Beallsville, OH 43716

PHONE: (740) 926-9152
FAX: (740) 926-9138



July 29, 2002

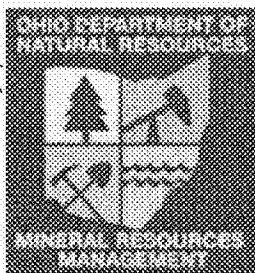
Treva Knasel
Division of Mines & Reclamation
1855 Fountain Square Court
Building H-3
Columbus, Ohio 43224-1383

Dear Treva:

Enclosed is an ARP to Permit D-0425. Please review and contact me with any questions or comments.

Sincerely,

Melanie Homan
Civil and Environmental Engineer



ARP REVIEW DUE DATE LETTER

RECEIVED

AUG - 8 2002

DIVISION OF
MINERAL RESOURCES MGMT.

Applicant: AMERICAN ENERGY CORP

ARP Number: R-425-8

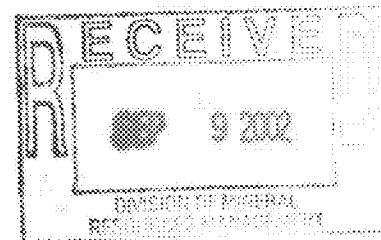
Summary:

Revise Refuse Disposal Plan

District: CAMBRIDGE

Application Manager: Treva Knasel

Date Received by Application Manager: 07/23/2002



This sheet is to be completed by the Permitting, Hydrology Bonding Section Application Manager and attached to any ARP documents that are being sent to technical and other staff for review. A separate sheet is to be completed for each reviewer.

Date Sent: 07/31/2002

Date Review Due: 08/21/2002

- ☒ Hydrologist: Mike Dillman
- ☒ Inspector: John Puterbaugh
- ☐ Field Team Leader:
- ☒ Environmental Specialist: Kevin Ricks *Saleem*
- ☐ Engineer:
- ☐ Blasting Plan:
- ☐ Soil Scientist:
- ☐ Archaeologist:

If applicable, date ARP was put on public file: _____

COMMENTS:

I have reviewed the ARP documents and following this review find the material and information provided by the applicant to be:

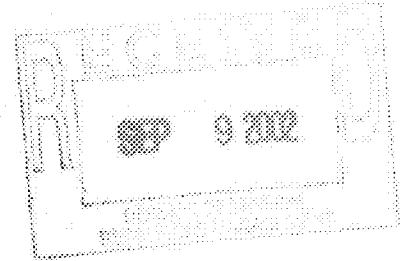
- ☐ ACCEPTABLE No further revision(s) is required. The ARP is for activity that complies with current regulatory requirements
- ☒ UNACCEPTABLE Additional revisions are needed as outlined in the attached document.

Signature: *OS/...*

Date: *9/4/02*

INTEROFFICE MEMORANDUM

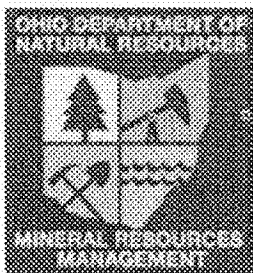
TO: TREVA KNASEL/APPLICATION MANAGER
FROM: KEVIN RICKS
SUBJECT: FIELD E.S. COMMENTS/AMERICA ENERGY CORP./ARP R-0425-8
DATE: 09/04/02



A. ARP Review

1. Page 1, Item 4:

a) Approved ARP R-425-6 included a plan to dispose of coal refuse at D-0360; therefore, provide a more complete explanation why this ARP was submitted and how it modifies the plan detailed in R-425-6.



ARP REVIEW DUE DATE LETTER

Applicant: AMERICAN ENERGY CORP

ARP Number: R-425-8

Summary:

Revise Refuse Disposal Plan

District: CAMBRIDGE

Application Manager: Treva Knasel

Date Received by Application Manager: 07/23/2002

This sheet is to be completed by the Permitting, Hydrology/Bonding Section Application Manager and attached to any ARP documents that are being sent to technical and other staff for review. A separate sheet is to be completed for each reviewer.

Date Sent: 07/31/2002

Date Review Due: 08/21/2002

- ☒ Hydrologist: Mike Dillman
- ☒ Inspector: John Puterbaugh *Cambridge*
- ☐ Field Team Leader:
- ☒ Environmental Specialist: Kevin Ricks
- ☐ Engineer:
- ☐ Blasting Plan:
- ☐ Soil Scientist:
- ☐ Archaeologist:

If applicable, date ARP was put on public file: _____

COMMENTS:

I have reviewed the ARP documents and following this review find the material and information provided by the applicant to be:

- ☒ **ACCEPTABLE** No further revision(s) is required. The ARP is for activity that complies with current regulatory requirements
- ☐ **UNACCEPTABLE** Additional revisions are needed as outlined in the attached document.

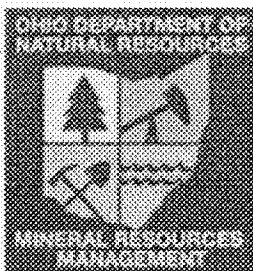
Signature:

John M. Puterbaugh

Date:

9-5-02

A4 Rev: 07/01/2001



ARP REVIEW DUE DATE LETTER

Applicant: AMERICAN ENERGY CORP

ARP Number: R-425-8

Summary:

Revise Refuse Disposal Plan

District: CAMBRIDGE

Application Manager: Treva Knasel

Date Received by Application Manager: 07/23/2002

This sheet is to be completed by the Permitting, Hydrology/Bonding Section Application Manager and attached to any ARP documents that are being sent to technical and other staff for review. A separate sheet is to be completed for each reviewer.

Date Sent: 07/31/2002

Date Review Due: 08/21/2002

- ☒ Hydrologist: Mike Dillman
- ☒ Inspector: John Puterbaugh
- ☐ Field Team Leader:
- ☒ Environmental Specialist: Kevin Ricks
- ☐ Engineer:
- ☐ Blasting Plan:
- ☐ Soil Scientist:
- ☐ Archaeologist:

If applicable, date ARP was put on public file: _____

COMMENTS:

Attached

I have reviewed the ARP documents and following this review find the material and information provided by the applicant to be:

- ☐ ACCEPTABLE No further revision(s) is required. The ARP is for activity that complies with current regulatory requirements
- ☒ UNACCEPTABLE Additional revisions are needed as outlined in the attached document.

Signature:

Michael J. Dillman

Date:

9/13/02

Initial Hydrology Review
American Energy Corporation ARP R-0425-8
Mike Dillman
September 13, 2002

Page 23, A(14):

1. If the D-1159 permit will be used, then a letter addressing the design capacity of that permit must also be included. Revise.
2. ARPs for permits D-0360 and D-1159 must be submitted to address the coal waste disposal from D-0425. Indicate that such ARPs will be submitted, and submit the ARPs with these revisions.

↑
R-1159-9
R-1159-8 ARP
9 do ARP for D-360

Draft and
letter.

Dillman, Mike

From: Dillman, Mike
Sent: Friday, September 13, 2002 10:20 AM
To: Knasel, Treva
Cc: Ricks, Kevin; Puterbaugh, John
Subject: hydrology comments AEC ARP R-0425-8



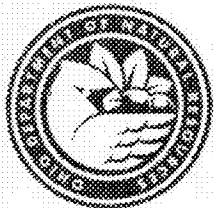
R-0425-8 AEC-19877

Mike

Mike Dillman, Geologist 3
Ohio Department of Natural Resources
Division of Mineral Resources Management
Permitting & Hydrology Section
1855 Fountain Square Court
Building H-3
Columbus, OH 43224-1383
e-mail: mike.dillman@dnr.state.oh.us
Telephone: 614-265-6628
Fax: 614-265-7998
Division Web Page: <http://content.ag.ohio-state.edu/dmr/>



Mike Dillman.vcf



Ohio Department of Natural Resources

BOB TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

Division of Mineral Resources Management

Michael L. Sponsler • Chief
1655 Fountain Square Court-Bldg. H-2
Columbus, Ohio 43224-1383
Phone (614) 265-6633 Fax: (614) 265-7999

September 25, 2002

American Energy Corporation
43521 Mayhugh Hill Rd.
Beallsville, OH 43950

Dear Ms. Homan:

The Division of Mineral Resources Management completed our review of your recent Application to Revise a Permit (ARP) #R-425-8 on September 25, 2002 in which you propose to modify your permitted mining and/or reclamation plan. The attached revisions are required before we can further consider your request.

1. Page 23, A(14)

- a. If the D-1159 permit will be used, then a letter addressing the design capacity of that permit must also be included. Revise.
- b. ARPs for permits D-0360 and D-1159 must be submitted to address the coal waste disposal from D-0425. Indicate that such ARPs will be submitted, and submit the ARPs with these revisions.

2. Page 1, Item 4

- a. Approved ARP R-425-6 included a plan to dispose of coal refuse at D-360. Therefore, provide a more complete explanation why this ARP was submitted and how it modifies the plan detailed in R-425-6.

Please submit the required revisions within thirty (30) days of this letter to avoid delays in our review of your proposal. Should you require additional time, please do not hesitate to contact me at (614) 265-1073. Failure to submit the required revisions in a timely manner may result in your proposal being returned without further action.

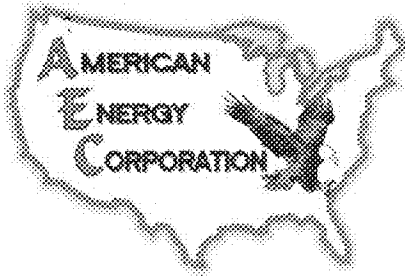
Sincerely,

Treva J. Knasel
Application Manager
Permitting, Hydrology & Bonding Section

cc: Mike Dillman
Kevin Ricks
File

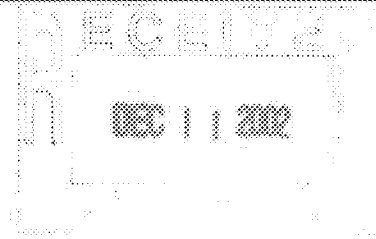
Form A9

Revised 10/2000



43521 Mayhugh Hill Road • Twp. Hwy. 88 • Beallsville, OH 43716

PHONE: (740) 926-9152
FAX: (740) 926-9138



December 10, 2002

Treva Knasel
Division of Mines & Reclamation
1855 Fountain Square Court
Building H-3
Columbus, Ohio 43224-1383

Dear Treva:

Enclosed are the revisions to an ARP to Permit D-0425. Please review and contact me with any questions or comments.

Sincerely,

Melanie Homan

Melanie Homan
Civil and Environmental Engineer



ARP REVIEW DUE DATE LETTER *2*

Applicant: AMERICAN ENERGY CORP

ARP Number: R-425-8

Summary:

Revise Refuse Disposal Plan

District: CAMBRIDGE

Application Manager: Treva Knasel

Date Received by Application Manager: 07/23/2002

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RECEIVED

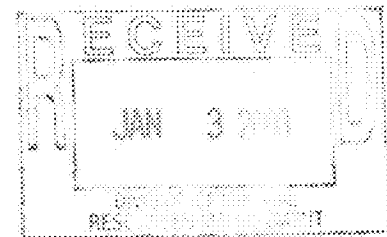
DEC 28 2002

DIVISION OF
MINERAL RESOURCES

12/20
Date Sent: 07/31/2002

01/06/03
Date Review Due: 08/21/2002

- ☒ Hydrologist: Mike Dillman
- ☒ Inspector: John Puterbaugh
- ☐ Field Team Leader:
- ☒ Environmental Specialist: Kevin Ricks *- Salan*
- ☐ Engineer:
- ☐ Blasting Plan:
- ☐ Soil Scientist:
- ☐ Archaeologist:



If applicable, date ARP was put on public file: _____

COMMENTS:

I have reviewed the ARP documents and following this review find the material and information provided by the applicant to be:

- ☒ **ACCEPTABLE** No further revision(s) is required. The ARP is for activity that complies with current regulatory requirements
- ☐ **UNACCEPTABLE** Additional revisions are needed as outlined in the attached document.

Signature: *[Signature]*

Date: *12/27/02*



ARP REVIEW DUE DATE LETTER *2*

Applicant: AMERICAN ENERGY CORP

ARP Number: R-425-8

Summary:

Revise Refuse Disposal Plan

District: CAMBRIDGE

Application Manager: Treva Knasel

Date Received by Application Manager: 07/23/2002

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12/20
Date Sent: 07/31/2002

01/06/03
Date Review Due: 08/21/2002

- ☒ Hydrologist: Mike Dillman
- ☒ Inspector: John Puterbaugh
- ☐ Field Team Leader:
- ☒ Environmental Specialist: Kevin Ricks
- ☐ Engineer:
- ☐ Blasting Plan:
- ☐ Soil Scientist:
- ☐ Archaeologist:

If applicable, date ARP was put on public file: _____

COMMENTS:

I have reviewed the ARP documents and following this review find the material and information provided by the applicant to be:

- ☒ **ACCEPTABLE** No further revision(s) is required. The ARP is for activity that complies with current regulatory requirements
- ☐ **UNACCEPTABLE** Additional revisions are needed as outlined in the attached document.

Signature: *Michael Dillman*

Date: *12/30/02*